

and the same is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated.

Sec. 3. The fact that the herein named men, and the husbands of the said surviving widows, served on the frontier of the State of Texas during the years, A. D. 1881, and A. D. 1882, in the military service of the State of Texas, and that they furnished their own horses, rations, and ammunition at their own proper expense, and that they participated in several battles and skirmishes with raiding Indians and protected the frontier from marauding Mexicans, and that the State of Texas has never paid these veterans or the surviving widows named any sum, nor granted them any nature of reward or bounty, for such service, horses, rations, and ammunition; and that these said survivors and surviving widows of the members of said organization, are aged, many of them feeble, indigent, and in sore need create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby suspended and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

SEVENTY-SECOND DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
May 20, 1931.

The Senate met at 9 o'clock a. m., pursuant to recess, and was called to order by President Pro Tem. Carl Hardin.

House Bill No. 842.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 842, A bill to be entitled "An Act authorizing the executor or administrator of estates, upon application and order authorizing same, to renew and extend obligations owing to or by such estates, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Small, the

constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 842 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
	Woodward.

Oneal.

Read third time and finally passed.

House Bill No. 251.

The question recurred upon the substitute for the amendment to H. B. No. 251.

The substitute and the amendment were withdrawn.

Senator Hopkins sent up the following amendment:

Amend Substitute to H. B. 251 by substituting for Sections 36a, 36b, 36c and 36d, the following, viz:

There is hereby levied a tax of five (\$.05) cents per hundred pounds on all cement used within this State, whether manufactured within or without this State. Such tax shall be paid only once for each hundred pounds of cement used, and, for all cement used in this State which is manufactured or sold in intrastate commerce within this State, the tax shall be paid by the person, firm or corporation manufacturing the same or making the first sale, in intrastate commerce thereof within this State; and for all cement used in this State not purchased in intrastate commerce in this State, the tax shall be paid by the person, firm or corporation using the same. Every person, firm or corporation liable for the payment of such cement tax, on or before the tenth day of April, July, October and January of each year shall make a report to the Comptroller of Public Accounts, sworn to

by such person, or by a member of such firm or the duly authorized officer of such corporation, as the case may be, on such bonus as the Comptroller shall prescribe showing the total amount of cement produced, and the total amount sold in intra-state commerce in this State, and the total amount used in this State but not purchased in intra-state commerce within this State during the quarter ending on the last day of the preceeding month, and shall pay to the State Treasurer the amount of such cement tax due for the preceeding quarter, equal to five (\$.05) cents for each hundred pounds manufactured and not shipped out of this State during such quarter, and/or used in this State but not purchased in intra-state commerce within this State, during said quarter.

If for any reason the Comptroller is not satisfied with any such report, he may require additional or supplemental reports containing such data as he may deem necessary to ascertain the amount of tax due, and such additional or supplemental reports shall be made under oath as herein provided. Every person, firm or corporation liable for the payment of such cement tax shall cause to be made and kept true and complete records of all cement manufactured, sold or used in this State, which records at all times shall be open to the inspection of the Comptroller or Attorney General or any duly authorized representative of either of them; and any person, firm or corporation failing to keep such records or to allow inspection thereof as herein required, shall forfeit to the State of Texas a penalty of not less than Two Hundred Fifty (\$250.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, and each ten days failure to keep such records and each refusal to all such inspection shall cause a separate forfeiture and penalty; and person, firm or corporation who shall fail to pay such cement tax within thirty days after the same is due, shall pay a penalty of ten (10%) per cent of the tax due, and such tax and penalty shall draw interest from due date until paid at the rate of six (6%) per cent per annum.

The Attorney General, or any District or County Attorney, at his dis-

cretion shall brief, on behalf of the State in any District Court of Travis County, any suits necessary to recover any and all taxes, penalties and interest due and payable under this Act.

HOPKINS.

The amendment was read.

Senator Williamson raised the point of order that this amendment violated Article III, Section 33 of the Constitution of the State of Texas.

On motion of Senator Martin, Senator Williamson's statements were ordered printed in the Journal as follows:

Mr. President:

I raise the point of order on the pending amendment to H. B. No. 251, which seeks to place a tax of ten cents per sack on the manufacturer of cement, and base my point of order on Section 33, Article 3 of the Constitution, which reads: "All bills for raising revenue shall originate in the House of Representatives, but the Senate may amend or reject them as other bills."

I realize, Mr. President, that you have previously held on a similar point of order that a precedent was established in the Forty-first Legislature when the Motor License Fee bill was attached to H. B. No. 6, which was a gasoline tax measure.

Mr. President, I call to your attention that there is no similarity in these two propositions as the gasoline bill was a revenue bearing measure, while the Motor License Fee amendment had for its purpose the right to grant to the citizens of Texas a permit for their motor vehicles to operate upon the highways in this State; therefore, I maintain that, regardless of what the Attorney General or the court has to say with respect to the constitutionality of attaching the License Fee amendment to the gasoline bill, it has no bearing on the amendment now before the Senate. To further sustain this point of order, Mr. President, I maintain that by the provisions of Article 3, Section 33, of the Constitution of Texas, that the Senate can only amend or reject a revenue measure that originated in the House and, under no circumstances can the Senate add a new section, placing a tax on an individual or in-

dustry other than originally set up on any House bill considered by this body.

In your deliberation on this point of order, Mr. President, I respectfully request that you seriously consider the statements made to the people by the members of this body when we were asking them to support a constitutional amendment to raise our salaries and to change the system of legislation so as to permit them to be heard on all matters of importance, particularly tax measures.

Respectfully submitted,
WILLIAMSON.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

Senator Purl raised the point of order that this bill was a bill to provide a peddler's license for the purpose of regulation and that the amendment was not germane.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

Mr. President, at this time and before the final vote on H. B. No. 251, as amended in the Senate, we want to renew a point of order heretofore made and urge that the bill as amended cannot be further considered by the Senate for the reason that there has been attached to the Senate Committee Substitute for the original House Bill 251, an Amendment by Senator Pollard levying a tax of .75c per ton on sulphur, as shown by the Senate Journal at pages 1660 and 1661.

This amendment is solely a revenue measure which did not originate in the House as is required under Section 33, Article 3, of the Constitution of the State of Texas. Therefore, we insist that the bill as amended should not be further considered because it violates Section 33 of Article 3 of the Constitution, and we ask that this Point of Order, together with the Chair's ruling thereon be printed in the Senate Journal.

MARTIN,
HOLBROOK.

The Chair overruled the point of order.

Senator Woodruff moved the previous question on the pending amendment, a corrective amendment to be

sent up by Senator Small, and the further consideration of the bill. The previous question was seconded.

Senator DeBerry called for a division of the question.

The previous question was ordered on the amendment by Senator Hopkins.

Senator Purl sent up the following written request:

Senator Purl asks unanimous consent that the opponents of the Cement Tax be allowed ten minutes in which to debate the amendment offered by the Senator from Gonzales.
PURL.

Objection was heard.

The amendment was adopted by the following vote:

Yeas—21.

Berkeley.	Neal.
Cousins.	ONeal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Rawlings.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Woodruff.
Moore.	

Nays—8.

Beck.	Stevenson.
Martin.	Williamson.
Patton.	Woodul.
Purl.	Woodward.

Absent.

Cunningham. Russek.

The previous question was ordered on the final passage of the bill by the following vote:

Yeas—18.

Beck.	Neal.
Berkeley.	ONeal.
Cousins.	Parrish.
Greer.	Patton.
Hardin.	Poage.
Hopkins.	Rawlings.
Hornsby.	Thomason.
Loy.	Woodruff.
Moore.	Woodul.

Nays—12.

DeBerry.	Parr.
Gainer.	Pollard.
Holbrook.	Purl.
Martin.	Russek.

Small.
Stevenson.

Williamson.
Woodward.

Absent.

Cunningham.

Senator Williamson sent up the following written point of order:

Mr. President:

I raise the point of order that the amendment sent up by the Senator from Gonzales to correct the caption to S. B. No. 251 was not on the Secretary's desk at the time the previous question was ordered, and raise the further point of order that the President, by refusing the Senate the right to refer to the records to show whether or not this amendment was included in the motion for the previous question, suspended all rules, and took away the rights of the Senate, or any member of the Senate, granted to them by the rules of the Senate, and clearly established by past legislative procedure.

WILLIAMSON.

The Chair overruled the point of order.

The Chair laid before the Senate the following amendment:

Amend Small amendment to H. B. No. 251 by adding the following at the end of subsection 4:

"If any person pays the tax under Subdivision 2 hereof, he shall not be required to pay the tax under this subdivision."

And amend caption to conform to all amendments.

**SMALL,
DeBERRY.**

Read and adopted by the following vote:

Yeas—29.

Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Absent.

Beck.

Cunningham.

The bill was finally passed by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—5.

Cousins.	Stevenson.
Martin.	Williamson.
Purl.	

Absent.

Cunningham.

Senator Holbrook spread upon the Journal a motion to reconsider the vote by which the bill was finally passed.

Senator Woodruff called up the motion to reconsider and moved to table it.

Senator Purl raised the point of order that the previous question had been ordered on the final passage of the bill; therefore, a motion to reconsider was not debated and hence the motion to table was out of order.

The Chair overruled the point of order.

The motion to table prevailed by the following vote:

Yeas—22.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
DeBerry.	Pollard.
Greer.	Rawlings.
Hardin.	Russek.
Hornsby.	Small.
Loy.	Thomason.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Nays—6.

Holbrook.	Purl.
Martin.	Stevenson.
Parr.	Williamson.

Absent.

Cunningham.	Hopkins.
Gainer.	

REASON FOR VOTE.

Mr. President and Members of the Senate:

I am voting "No" on H. B. No. 251 as substituted and amended by the Senate, for the reason that since the committee substitute for said H. B. No. 251 came on the floor of the Senate it has been amended by adding the Pollard Amendment as shown on pages 1660 and 1661 of the Senate Journal, which amendment levys a tax of .75c per ton on sulphur. This amendment is solely a revenue measure and the property sought to be taxed is not covered and not included in any way in the original H. B. No. 251. The Sulphur Tax amendment as placed on this Bill by the Senate is in violation of Section 33, of Article 3, of the Constitution, being a revenue measure not originating in the House.

MARTIN.

REASON FOR VOTE.

Being opposed to the passage of House Bill 251 and knowing that it would receive enough votes to insure its passage in the Senate, I voted "yea" on final passage, with a view of making a motion to reconsider and spread upon the Journal. I made this motion after final passage of the bill, but was denied the privilege of the floor by the Chair after a motion to table had been made.

HOLBROOK.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 308, A bill to be entitled "An Act requiring the county boards of various counties to notify the State Superintendent and the State Board

of Education of the amount of the state available school funds to be set aside annually to the credit of the county administration fund; authorizing the State Superintendent, on the order of the State Board of Education, to remit to the various county depositories the amount of state available school funds necessary for the support of the office of the county superintendent; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 322, A bill to be entitled "An Act to amend Section 11, Chapter 61, Acts of the Second Called Session of the Legislature of the State of Texas, so as to provide for the payment of the expense of additional examination and prolonged audit and examination and reappraisement of real estate by the association; and declaring an emergency."

S. B. No. 327, A bill to be entitled "An Act to amend Article 454, Chapter 7, Title 16, Revised Civil Statutes of Texas, 1925, providing that the Banking Commissioner of Texas may, upon order of the district court of the county in which the bank being liquidated is situated, if in session, or the judge thereof, if in vacation, sell or compound bad and doubtful debts and sell real or personal property, by adding thereto a provision authorizing him under like order of said district court, or the judge thereof, to sell or compound and compromise bad and doubtful stockholders' assessments, and to sell stockholders' assessments, and declaring an emergency."

S. B. No. 341, A bill to be entitled "An Act making it an offense for any person to enter any farm, garden, orchard, fruit or pecan grove in this State, with the intent to steal or carry away without the consent of the owner, or to aid or assist in stealing or so carrying away, any farm product, garden product, fruit or nuts, growing or gathered, etc., and declaring an emergency."

(With amendments.)

S. B. No. 360, A bill to be entitled "An Act amending Section 12d of Article 8306 of the Revised Civil Statutes of the State of Texas of 1925, relating to the review of awards made by the Industrial Accident Board upon a change of condi-

tion, mistake or fraud within the compensation period, and declaring an emergency."

S. B. No. 328, A bill to be entitled "An Act to amend Article 462, Chapter 7, Title 16, Revised Civil Statutes of the State of Texas, 1925, relating to expense of liquidation and the approval of expense account of the commissioner; providing for contest of commissioner's expense account and fixing burden of proof; and declaring an emergency."

S. B. No. 357, A bill to be entitled "An Act amending Section 121 of Article 8306 of the Revised Civil Statutes of the State of Texas of 1925 relating to the wages of an employee who was a minor when injured, and providing that any minor employed in any hazardous or other employment prohibited by the laws of this State, shall be entitled to receive compensation under the terms and provisions of the Workmen's Compensation Act, but that no person, firm or corporation shall be excused for employing any minor in any hazardous employment or other employment prohibited by any Statute of this State, and declaring an emergency."

H. B. No. 500, A bill to be entitled "An Act to amend Chapter 288, General Laws of the Regular Session of the Forty-first Legislature of 1929, being an Act declaring unlawful the sale or offering for sale, transportation, preparation, receiving or delivery for transportation or marketing of citrus fruit that is immature, unripe, overripe, frost damaged or otherwise unfit for consumption and the sale thereof declared to be a fraud upon the public, etc.; and declaring an emergency."

H. B. No. 1056, A bill to be entitled "An Act to prohibit the hunting, trapping, ensaring, killing or possessing, dead or alive, any wild buck deer or wild turkey, or either of them, within the limits of Limestone County, of the State of Texas, for a period of five years from and after the passage of this act; providing a penalty therefor, and declaring an emergency."

H. B. No. 1057, A bill to be entitled "An Act amending Article 7005, Chapter 7, Title 121, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 105, General

and Special Laws of the State of Texas, as passed by the Regular Session of the Fortieth Legislature of Texas, so as to place Cameron County under the provisions of said Chapter 7, Title 121."

H. B. No. 1058, A bill to be entitled "An Act to authorize the commissioners' court in each county having a population of not less than 13,975 and not more than 14,050, as shown by the preceding United States census, to allow all county and precinct officers expenses incurred by them for official telephone, official telephone calls, official telegrams, and official postage stamps and cards, to be paid out of the general fund of the county, and declaring an emergency."

H. B. No. 1059, A bill to be entitled "An Act to authorize the commissioners' court in each county having a population of not less than 13,975 and not more than 14,050 as shown by the preceding United States census, to pay the sheriff of such county for summoning jurors in district or county courts, serving all legal notices and doing all other public business for which compensation is not provided for, not exceeding \$2500 per annum, to be fixed by the Commissioners' Court and to be paid out of the general fund of the county, and further authorizing the commissioners' court in such counties, upon written sworn application of the sheriff, stating the necessity therefor, to purchase an automobile for the use of the sheriff and pay for same together with the expense of the maintenance and operation of same out of the county general fund, and declaring an emergency."

S. B. No. 303, A bill to be entitled "An Act to amend Article 838, of the Revised Civil Statutes of Texas, 1925, requiring the county treasurer of each county to make annual report to the State Comptroller of the interest and sinking fund for each set of county, common school district, and road district bonds; county warrants, scrip warrants and amounts due banks; requiring the treasurer of each independent school district to make annual report of the interest and sinking fund for each set of bonds of such district; requiring the city treasurer of each city to make report showing the condi-

tion of the interest and sinking fund for each set of bonds, warrants, scrip warrants, and amounts due banks; all of said reports shall show the amounts of such indebtedness outstanding on the 30th day of June of each year; and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

The House has concurred in Senate amendments to H. B. No. 867 by a vote of 100 yeas and 0 nays.

The House concurred in Senate amendments to H. B. No. 749 by a viva voce vote.

The House concurred in Senate amendments to H. B. No. 358 by a vote of 103 yeas and 0 nays.

The House concurred in Senate amendments to H. C. R. No. 56 by a viva voce vote.

The House has refused to concur in Senate amendments to H. B. No. 805 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Brooks, Van Zandt, Carpenter, Ray, Cox of Lamar.

The House has refused to concur in Senate amendments to H. B. No. 215 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Murphy, Mrs. Rountree, Burns of Walker, Laird, Holland.

The House has concurred in Senate amendments to H. B. No. 768 by a viva voce vote.

The House has passed finally the following resolution.

S. J. R. No. 28, Proposing an amendment to the Constitution of Texas, by adding to Article 16 another Section, Section 60, so as to authorize a Texas Centennial, commemorating the heroic period of early Texas history, and to celebrate a century of our independence and progress, times, places and manner thereof to be provided by the Legislature; authorizing an appropriation to be made therefor; providing for

amendment, and making an appropriation therefor.

Respectfully submitted,
LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.
Hall of the House of Representatives,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:
S. C. R. No. 55, Relative to the sale of a chair to Dan Moody.

H. C. R. No. 71; Relative to the printing of the Legislative manual for the 42nd Legislature.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 416, A bill to be entitled "An Act amending Section 9 of Article 8306 of the Revised Civil Statutes of the State of Texas of 1925, relating to the payment of expenses incident to the last sickness of a deceased employee resulting from an injury and of funeral benefit when such employee leaves no legal beneficiaries; and providing for the payment of burial expenses when such deceased employee leaves legal beneficiaries, and declaring emergency."

S. B. No. 417, A bill to be entitled "An Act providing that an employee sustaining an injury within the terms and provisions of the Workmen's Compensation Act shall be entitled to a hearing before the Industrial Accident Board within a reasonable time, and that the Industrial Accident Board shall have the authority to delay the time of such hearing when the association is paying compensation according to law, and is furnishing hospitalization or medical treatment or such employee has not reached his maximum recovery; and providing that no appeal shall be taken from the action of the Board in so delaying such hearing, and declaring an emergency."

(With amendments.)

S. B. No. 420, A bill to be entitled "An Act to amend Chapter 10 of

the Revised Civil Statutes of Texas of 1925, by enacting a new Article to be known as 4905A providing for the regulation of insurance against loss by lightning or tornado or windstorm or hail, and of the rates to be collected in this State for such insurance, by the State Board of Insurance Commissioners, in the same manner and to the same extent as is now provided by law with respect to the writing of fire insurance and the rates of such insurance, and declaring an emergency."

(With amendments.)

S. B. No. 430, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated line school districts, and rural high school districts whether created by general or special law or county boards of trustees, validating the acts of said county boards of trustees and boards of such districts; validating all proceedings and acts of said boards of trustees, heretofore taken by such boards of trustees; validating all bonds authorized and sold and now outstanding of said districts; validating all tax levies made in behalf of said districts; and declaring an emergency."

(With amendments.)

S. B. No. 428, A bill to be entitled "An Act to amend Section 1 of Chapter 105, Acts of the First Called Session of the Forty-first Legislature, and declaring an emergency."

S. B. No. 453, A bill to be entitled "An Act repealing Article 194 of the Revised Civil Statutes of 1925, and providing that all election returns, in cases of election of State Senators, shall be made to the Secretary of State and the Secretary of State shall receive the returns and count the votes, and issue certificates of election to persons receiving the highest number of votes for Senator at any election in their respective districts, and declaring an emergency."

S. B. No. 383, A bill to be entitled "An Act providing for the adoption of minors, establishing legal relations between the children and adopted parents and repealing Title 3 of

the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

(With amendments.)

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bills Referred.

H. B. No. 1056 referred to Committee on State Affairs.

H. B. No. 1057 referred to Committee on Stock and Stock Raising.

H. B. No. 1058 referred to Committee on Counties and County Boundaries.

H. B. No. 1059 referred to Committee on Counties and County Boundaries.

H. B. No. 500 referred to Committee on Agriculture.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 29.	S. B. No. 502.
H. B. No. 658.	S. B. No. 507.
H. B. No. 1055.	S. B. No. 511.
H. C. R. No. 56.	S. B. No. 592.
H. C. R. No. 69.	S. B. No. 618.
H. C. R. No. 70.	S. B. No. 629.
S. B. No. 5.	S. B. No. 303.
S. B. No. 31.	S. B. No. 327.
S. B. No. 163.	S. B. No. 357.
S. B. No. 194.	H. B. No. 553.
S. B. No. 201.	H. B. No. 737.
S. B. No. 203.	H. B. No. 867.
S. B. No. 184.	H. B. No. 1001.
S. B. No. 308.	H. B. No. 375.
S. B. No. 165.	H. B. No. 454.
S. B. No. 360.	H. B. No. 473.
S. B. No. 207.	H. B. No. 842.
S. B. No. 208.	H. B. No. 749.
S. B. No. 218.	H. B. No. 358.
S. B. No. 240.	H. B. No. 195.
S. B. No. 469.	H. B. No. 434.
S. B. No. 481.	H. B. No. 471.
S. B. No. 223.	H. B. No. 763.
S. B. No. 322.	H. B. No. 860.
S. B. No. 328.	H. B. No. 921.

Motion to Concur.

Senator Parr moved to concur in House amendments to S. B. No. 341. The motion prevailed by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

House Bill No. 768.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 768, A bill to be entitled "An Act creating and providing a uniform budget system for the State and all counties, cities, towns, villages, independent school districts, rural high school districts and common school districts, amending Articles 688 and 689, Chapter 6, Title 20 of the Revised Civil Statutes of Texas for the year 1925, etc., and declaring an emergency."

Read second time.

Senator Woodul sent up the following amendments:

Amend House Bill 768 by adding a new paragraph at the end of Section 12, to read as follows:

Provided, however, that in all counties of this State containing a population in excess of three hundred and fifty thousand (350,000), according to the last preceding United States census, the provisions hereof shall not apply to the making of such county budgets, and in such counties all matters pertaining to the county budget shall be governed by existing law.

WOODUL.

Read and adopted.

Amend caption of House Bill No. 768 by adding at appropriate place the following: "and providing that the provisions hereof shall not apply with reference to budgets for counties containing a population in excess of three hundred and fifty thousand (350,000), according to the last pre-

ceding United States census, and providing that in such counties the matters pertaining to budgets shall be controlled by existing law."

WOODUL.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 768 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

House Bill No. 471.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Metcalfe:

H. B. No. 471. A bill to be entitled "An Act authorizing suits to be brought and maintained against persons owning or claiming any interest in lands, in cases (a) when land or any interest therein has been or may hereafter be conveyed by written instrument to any person as trustee and in such conveyance or instrument constituting source of title the names of the persons taking or holding the beneficial or equitable title are not disclosed and are unknown, and (b) when land or an interest therein has been conveyed by written instrument to an association, joint stock company or partnership, and after such conveyance said association, joint stock company or partnership has been dissolved and the names of the persons owning, acquiring or becoming the owners of the assets and lands of such association are not disclosed in such conveyance and are unknown; providing how such unknown persons shall be made parties; prescribing the procedure in such cases, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 471 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

House Bill No. 763.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 763, A bill to be entitled "An Act to provide that no person transported by the owner or operator of a motor vehicle over the highways of this State as the guest of such owner or operator and without pay, shall have a cause of action for injury or death in case of accident unless such accident shall have been intentional or heedless, or reckless; providing exceptions, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Loy, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 763 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

Read third time and finally passed.

House Bill No. 921.

Senator Gainer called up from the table the following bill:

H. B. No. 921, A bill to be entitled "An Act authorizing and directing the Board of Directors and other managing officers of A. & M. College to create and operate a Fireman's Training School as a part of said college, providing for the creation of a board to advise in the conducting of the same, making an appropriation therefor; and declaring an emergency."

The bill was passed to third reading.

On motion of Senator Gainer, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 921 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Loy.
Berkeley.	Martin.
Cousins.	Moore.
Gainer.	Neal.
Greer.	Oneal.
Hardin.	Parr.
Holbrook.	Parrish.
Hopkins.	Patton.
Hornsby.	Poage.

Pollard.
Purl.
Rawlings.
Russek.
Small.
Stevenson.

Thomason.
Williamson.
Woodruff.
Woodul.
Woodward.

Nay—1.

DeBerry.

Absent.

Cunningham.

Recess.

On motion of Senator Russek, the Senate, at 12:12 o'clock p. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Senate Bill No. 626.

Senator Beck called up from the table the following bill:

By Senator Beck:

S. B. No. 626, A bill to be entitled "An Act making an emergency appropriation out of any money in the State Treasury not otherwise appropriated to supplement appropriations heretofore made for the Judiciary Division of the State Comptroller's Department for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

Senator Purl sent up the following amendment:

Amend Senate Bill No. 626 by adding a new Section, said Section to be known as "1A" to read as follows:

"Section 1A. The State Comptroller is hereby given the authority and is directed to transfer the sum of \$635.18 from the appropriation made in House Bill No. 397, Acts of the 42nd Legislature, which reads:

"To pay Blanket Warrants issued to District Judges of the District Courts of the State, by authority of the Regular Session of the 40th Legislature, \$22,796.89."

Said sum of \$635.18 to be added to the appropriation in the above House Bill No. 397, which reads:

"To pay Blanket Warrants issued to the District Judges of the 113th, 116th, and 117th Judicial Districts,

created by Acts of the 41st Legislature, and for which no appropriations have been made, \$7,294.98.' "

PURL.

Read and adopted.

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

REASON FOR VOTE.

May 19, 1931.

Hon. George Purl, Senate Chamber, Austin, Texas.

Dear Senator: Following up verbal conversation of this date, relative to error occurring in H. B. No. 397, I beg to advise as follows. In the writing of the amendment to that bill I was asked to deduct the amount of warrants held by Mr. Bowen of Dallas from the amounts to be appropriated in the said bill, the amount being \$635.18. In making this deduction, I deducted the said \$635.18, from the appropriation as follows:

"To pay Blanket Warrants issued to District Judges of the 113th, 116th, and 117th Judicial Districts, created by the Acts of the 41st Legislature, and for which no appropriation have been made."

When this \$635.18 should have been deducted from the following appropriation:

"To pay Blanket Warrants issued to District Judges of the District Courts of the State, by authority of the Acts of the Regular Session of the 40th Legislature."

Now in order to correct this accounting error made by me, I would suggest that you attach the following amendment to the Departmental Appropriation Bill:

The Comptroller is hereby given the authority to transfer the sum of \$635.18 from appropriation made in H. B. No. 397, Acts of the 42nd Legislature.

"To pay Blanket Warrants issued to District Judges of the District Courts of the State, by authority of the Regular Session of the 40th Legislature \$22,796.89

To appropriation—

"To pay Blanket Warrants issued to the District Judges of the 113th, 116th and 117th Judicial Districts created by the Acts of the 41st Legislature, and for which no appropriation has been made.....\$7,294.48."

I regret very much that this error has occurred, but in order that we may do justice to all, I respectfully suggest that you try to secure this correction for me.

Yours very truly,

T. M. MARKHAM,
Assistant State Auditor.

House Bill No. 195.

Senator Berkeley called up from the table the following bill:

By Mr. McGill:

H. B. No. 195, A bill to be entitled "An Act making it unlawful for any person, association, firm or corporation to execute and deliver, knowingly, any deed, mortgage, deed of trust, or other instrument in writing, purporting to convey any land or interest in land, to any other person, association, firm or corporation, when such person, association, firm or corporation is not the owner of, or has no interest in such land, and for any person, association, firm or corporation, to knowingly receive and tender for record any such deed mortgage, deed of trust, or other instrument in writing; providing a penalty for the violation of this act, and declaring an emergency."

The bill was passed to third reading.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 195 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Cunningham.
Berkeley.	DeBerry.
Cousins.	Gainer.

Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodul.
Parrish.	Woodward.
Patton.	

Read third time and finally passed.

House Bill No. 860.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 860, A bill to be entitled "An Act repealing Chapter 23, Acts Second Called Session, Forty-first Legislature, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Oneal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 860 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
DeBerry.	Holbrook.

Hopkins.	Pollard.
Hornsby.	Purl.
Loy.	Rawlings.
Martin.	Russek.
Moore.	Small.
Neal.	Stevenson.
Oneal.	Thomason.
Parr.	Williamson.
Parrish.	Woodruff.
Patton.	Woodul.
Poage.	Woodward.

Absent.

Cunningham.

Special Committee Report.

Senator Hardin sent up the following Special Committee report:

Hon. Edgar E. Witt, President of the Senate,

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your Committee appointed by virtue of H. C. R. No. 8, relating to Honorable Louis J. Brucks, then Judge of the 38th Judicial District of Texas, beg leave to report as follows:

1. Soon after appointment, we organized and there was submitted much data in the form of letters and affidavits, and before this committee officially considered this data, or arranged for any hearing, Judge Brucks advised of his contemplated retirement from the bench and tendered his resignation effective March 28th, 1931, which has by the Governor of Texas been accepted and his successor appointed.

2. In view of the above facts, our duty, as we understand it under said resolution, becomes moot, and therefore no further report is necessary.

3. We feel, however, that it is but justice to Judge Brucks for us to say that it appears, that he has long resided in his district and is the head of a most highly honored and respected family, that his integrity is above reproach and his ability unquestioned, and that he has at all times been arduous in the performance of his trust.

4. We respectfully request the acceptance of this report and a discharge of the committee.

STEVENSON,
HARDIN,
MARTIN,
JOHNSON of Dimmit,
BOND.

House Bill No. 654.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Johnson of Dimmit, Mr. Leonard, Mr. Hill, Mr. Jones of Shelby and Mr. Albritton:

H. B. No. 654, A bill to be entitled "An Act requiring any party, offering or quoting for sale certain perishable farm products, to quote the quantity of the commodity actually offered and providing that no party shall so offer or quote for sale any such commodity except the owner or such other party as may be duly authorized, in writing, and that no offering or quotation shall be made by any party unless such commodity is, in fact, then in physical existence in the quantity offered and ready for bona fide sale and delivery by such party; and providing penalties for the violation thereof, and declaring an emergency."

Read second time.

Senator Small sent up the following amendment:

Amend House Bill No. 654, by striking out all of Section 1, and insert in lieu thereof the following:

"Section 1. No party shall offer or quote for sale in carload quantity, any citrus fruits, spinach, onions, cabbages, tomatoes, lettuce, strawberries, cucumbers, cantaloupes, or melons, or in carload or less than carload quantity any onion plants, cabbage plants, or strawberry plants, except the owner or such other party as may be duly authorized, in writing, so to do by the owner, and no offering or quotation shall be made by any party whatsoever for immediate delivery unless such commodity being offered or quoted shall, in fact, then be in physical existence in the quantity or approximate quantity offered or quoted."

SMALL.

The amendment was read and adopted.

The bill failed to pass to third reading.

House Bill No. 762.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 762, A bill to be entitled "An Act to prohibit the increase of premium and/or rates to be collected after twenty years of continuous membership in any fraternal benefit societies as provided for in Chapter 8."

Read second time.

On motion of Senator Stevenson the bill was laid on the table subject to call.

Conference Committee Requested.

Senator Berkeley moved not to concur in House amendments to S. B. No. 430 and to request the appointment of a Conference Committee.

Motions to Concur.

Senator Cousins moved to concur in House amendments to S. B. No. 417. The motion prevailed by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Gainer.	Poage.
Hardin.	Pollard.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Small.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—4.

DeBerry.	Stevenson.
Purl.	Woodruff.

Absent.

Cunningham.	Greer.
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Senator Woodul moved to concur in House amendments to S. B. No. 383. The motion prevailed.

On motion of Senator Purl, the Senate concurred in House amendments to S. B. No. 420.

House Bill No. 472.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Wienert and Mr. Johnson of Dimmit:

H. B. No. 472, A bill to be entitled

"An Act to amend Article 6626 of the Revised Statutes of Texas 1925, so as to provide the prerequisites for filing and recording maps and plats subdividing or re-subdividing real estate, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Rawlings, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 472 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

Read third time and finally passed.

H. C. R. No. 66.

The Chair laid before the Senate: H. C. R. No. 66, Relating to use of American-made materials in highway construction.

Read and adopted.

Motion to Concur.

On motion of Senator Moore, the Senate concurred in House amendments to S. B. No. 279 by the following vote:

Yeas—30.

Beck.	Loy.
Berkeley.	Martin.
Cousins.	Moore.
DeBerry.	Neal.
Gainer.	Oneal.
Greer.	Parr.
Hardin.	Parrish.
Holbrook.	Patton.
Hopkins.	Poage.
Hornsby.	Pollard.

Purl.	Thomason.
Rawlings.	Williamson.
Russek.	Woodruff.
Small.	Woodul.
Stevenson.	Woodward.

Absent.

Cunningham.

House Bill No. 457.

The Chair laid before the Senate on its third reading the following bill:

By Mr. Adams of Jasper:

H. B. No. 457, A bill to be entitled "An Act to amend Articles 3152 and 3153, Revised Statutes of 1925, relating to contests of nominations for office in primary elections, so as to provide for an appeal to the Court of Civil Appeals from the judgment of the district court or judge in all cases of such contests, and declaring an emergency."

Read third time.

Senator Woodward moved the previous question on the final passage of the bill. The previous question was ordered.

The bill was finally passed.

House Bill No. 620.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Richardson:

H. B. No. 620, A bill to be entitled "An Act to exempt male persons residing in Van Zandt County, Texas, from road duty by paying to the county tax collector of said county the sum of three dollars (\$3.00) annually, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 620 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
DeBerry.	Hornsby.
Gainer.	Loy.
Greer.	Martin.

Moore.	Rawlings.
Neal.	Russek.
Oneal.	Small.
Parr.	Stevenson.
Parrish.	Thomason.
Patton.	Williamson.
Poage.	Woodruff.
Pollard.	Woodul.
Purl.	Woodward.

Absent.

Cunningham.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Cunningham.

Conference Committee Report.

Senator Hopkins sent up the following Conference Committee report:

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate,
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your Conference Committee on House Bill No. 381, have had the same under consideration, and have adjusted the differences between the House and Senate, and recommend the passage of the following substitute bill:

H. B. No. 381.

A BILL

To Be Entitled

An Act to Amend Articles 7084 and 7089 Revised Statutes, 1925, as amended by House Bill 12, Fifth Called Session of the 41st Legis-

lature, relating to reports and the payment of corporate franchise taxes; repealing all laws and parts of laws in conflict therewith, and especially repealing Section 5 of said House Bill 12, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1: That Article 7084 and 7089 Revised Civil Statutes, 1925, as amended by House Bill 12, Fifth Called Session of the 41st Legislature be amended to read as follows:

Article 7084: Amount of Tax—
(A) Except as herein provided, every domestic and foreign corporation heretofore or hereafter chartered or authorized to do business in Texas, shall, on or before May 1st of each year, pay in advance to the Secretary of State a franchise tax for the year following, based upon that proportion of the outstanding capital stock, surplus and undivided profits, plus the amount of outstanding bonds, notes and debentures, other than those maturing in less than a year from date of issue, as the gross receipts from its business done in Texas bears to the total gross receipts of the corporation from its entire business which tax shall be computed at the following rates for each one thousand (\$1,000.00) dollars or fractional part thereof; one dollar (\$1.00) to One Million (\$1,000,000.00) dollars, sixty cents (60c); in excess of One Million (\$1,000,000.00) dollars, thirty cents (30c); provided that such tax shall not be less than Ten Dollars (\$10.00) in the case of any corporation, including those without capital stock. Where a foreign corporation applying for a permit has theretofore done no business in Texas, such tax shall not be payable until the end of one year from the date of such permit, at which time the tax shall be computed according to first year's business; and, at the same time, such corporation shall also pay its tax in advance, based upon the first year's business, for the period from the end of the first year to and including May 1st following. In all other cases, the tax shall be computed from the data contained in the reports required by Article 7087 and 7089. Capital stock as applied to

corporations without capital stock shall mean the net assets.

(B) Corporations which are now required by law to pay annually a tax upon intangible assets, corporations owning or operating street railways in or upon the public streets of any town or city, and corporations organized to maintain or owning or operating electric inter-urban railways, shall be required to hereafter pay a franchise tax equal to one-fifth of the franchise tax herein imposed against all other corporations under Section (A) herein.

(C) Provided, however, that this Act shall not apply to corporations organized as terminal companies not organized for profit, and having no income from the business done by them.

(D) Except as provided in preceding clauses "B" and "C" all public utility corporations, which shall include every such corporation engaged solely in the business of a public utility whose rates or service is regulated, or subject to regulation, in whole or in part, by law, shall pay a franchise tax as provided in this Act, except the same shall be based on that proportion of the issued and outstanding capital stock, surplus and undivided profits which the gross receipts of the business of said corporation done in this State bears to its total gross receipts, instead of the gross assets; and in lieu of the rate hereinbefore prescribed said tax shall be computed as follows:

One Dollar (\$1.00) to One Million Dollars (\$1,000,000.00) sixty five cents for each one thousand dollars (\$1,000.00) or fractional part thereof;

Forty five cents for each one thousand dollars (\$1,000.00) or fractional part thereof in excess of One Million Dollars (\$1,000,000.00) and not exceeding Ten Million Dollars (\$10,000,000.00)

And Thirty-five cents for each One Thousand Dollars (\$1,000.00) or fractional part thereof in excess of Ten Million Dollars (\$10,000,000.00).

For the purpose of computing the tax of corporations issuing no par stock, such stock shall be taken and considered as being of the value actually received at the time of the issuance thereof; and foreign corporations issuing such stock shall

furnish the Secretary of State with the same information now required of domestic corporations issuing such stock.

(E) Corporations engaged partly in the business of a public utility as defined in Clause "D" and partly in businesses embraced in Clause "A" shall pay the franchise tax in the following manner: as to those businesses which come under Clause "A" the tax shall be computed as provided in Clause "A" on that proportion of the entire taxable capital under said Clause "A" as the Texas gross receipts from such business or businesses bear to the entire Texas gross receipts of such corporation; and to those businesses which come under Clause "D" the tax shall be computed as provided in Clause "D" on that proportion of the entire taxable capital under said Clause "D" as the Texas gross receipts from such business or businesses bear to the entire Texas gross receipts of such corporation. The period for which such gross receipts are taken shall be the same period used in computing the proportion of Texas taxable capital under Clause "A" and "D".

(F) Corporations which are now required to pay a separate franchise tax for each purpose or business authorized by their charters, shall hereafter pay only the tax provided hereunder for one purpose, and one-fourth ($\frac{1}{4}$) of such amount for each additional purpose named in their charters.

Sec. 2. That Article 7089 be amended so as to read as follows:

Article 7089: Report of Corporation. Except as herein provided, all corporations now required to pay an annual franchise tax shall, between January 1st and March 15th of each year, make sworn report to the Secretary of State, on blanks furnished by that officer, showing the condition of such corporation on the last day of its preceding fiscal year. The Secretary of State may for good cause shown by any corporation extend such time to any date up to May 1st. Said report shall give the cash value of all gross assets of the corporation, the amount of its authorized capital stock, the capital stock actually subscribed, and the amount paid in, the surplus and undivided profits or deficit, if any, the amount of mort-

gage, bonded and current indebtedness, the amount and date of payment of the last annual, semi-annual, quarterly or monthly dividend, the amount of all taxes paid, or due and payable separately to the State of Texas, or to any county, city or town, school district, road district, or other taxing subdivision of Texas, for the preceding tax year, the total gross receipts of such corporation from all sources and the gross receipts from its business done in Texas for the fiscal year preceding, with a detailed balance sheet and income and profit and loss statement in such form as the Secretary of State may prescribe. Where a foreign corporation has not theretofore done business in this State and is granted a permit to do business in Texas, it shall file its first report as of the end of one year from the day permit was granted within (90) days of such date. Any corporation which shall fail or refuse to make its report shall be assessed a penalty of ten per cent of the amount of franchise tax due by such corporation, payable to the Secretary of State, together with its franchise tax. Said report shall be deemed to be privileged and not for the inspection of the general public, but a bona fide stockholder owning one percent or more of the outstanding stock of any corporation, may examine such returns upon presentation of evidence of such ownership to the Secretary of State. No other examination, disclosures or use shall be permitted of said reports except in the course of some judicial proceedings in which the State is a party or in a suit by the State to cancel the permit or forfeit the charter of such corporation or to collect penalties for a violation of the laws of this State, or for information of any officer of this State charged with the enforcement of its laws, including the Comptroller of Public Accounts, State Auditor and the State Tax Commissioner. Each report shall be sworn to by either the president, vice-president, secretary, treasurer or general manager, and shall give the name and address of each officer and director. In order to provide a means for service of process to collect any franchise tax or penalties, and in all other cases, each foreign corporation shall,

for such purposes, designate some person residing in this State whose name and address shall be given in each report. The State shall have a prior lien on all corporate property for all franchise taxes, penalties and interest.

Sec. 3: If the Secretary of State or any other State officer or employee, or any other person, having access to any franchise tax report filed as provided by law, including any shareholder who is permitted to examine the report of any corporation as provided in Section 2 hereof, shall make known in any manner whatever not provided by law the amount or source of income, profits, losses, expenditures, or any particulars thereof or any other information pertaining to the financial condition of the corporation set forth or disclosed in such report, he shall be punished by a fine not exceeding \$1,000.00 or confinement in jail for not exceeding one year, or both.

Sec. 4: All laws and parts of laws in conflict herewith, and especially Chapter 5 of Chapter 68 of the Fifth Called Session of the Forty-first Legislature, be and the same are hereby repealed.

Sec. 5: The fact that the present law requires corporations engaged jointly in the ice, water, light and power business to pay a franchise tax of three or more times the amount paid by corporations engaged solely in the light and power business, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days in each house be suspended, and that this bill take effect and be in force from and after its passage, and it is so enacted."

Respectfully submitted,

PETSCH,

WEST

of Coryell.

METCALFE,

VAN ZANDT,

On the part of the House.

HOPKINS,

HOLBROOK,

COUSINS,

SMALL,

On the part of the Senate.

Read and adopted by the following vote:

Yeas—29.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Nays—1.

DeBerry.

Absent.

Cunningham.

House Bill No. 684.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Vaughan:

H. B. No. 684, A bill to be entitled "An Act to amend Article 1030, Revised Civil Statutes, 1925, so as to provide that the city council of any city shall have power to levy and collect an annual poll tax, not to exceed one dollar, of every inhabitant of said city over the age of twenty-one and under sixty years, persons exempt from the payment of the State poll tax excepted, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 684 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Martin.
Berkeley.	Moore.
Cousins.	Neal.
DeBerry.	Oneal.
Gainer.	Parr.
Greer.	Parrish.
Hardin.	Patton.
Holbrook.	Poage.
Hopkins.	Pollard.
Hornsby.	Purl.
Loy.	Rawlings.

Russek.	Williamson.
Small.	Woodruff.
Stevenson.	Woodul.
Thomason.	Woodward.

Absent.

Cunningham.

Read third time and finally passed.

House Bill No. 836.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Ratliff:

H. B. No. 836, A bill to be entitled "An Act to amend Section 1 and Section 3 of Chapter 268, of the General Laws of the Fortieth Legislature, Regular Session, as follows: Amend said Section 1 to provide for a license for non-residents of Texas and aliens who shall fish in the waters of the State of Texas, and to provide for a license for residents of the State of Texas who shall fish with artificial lures of any kind in the waters of this State; and amend said Section 3 to provide penalties for the failure of persons to procure a license to fish where the same is required under this Act."

Senator Holbrook sent up the following amendment:

Amend H. B. No. 836 by adding a new section reading "this Act shall not apply to any salt water areas in the State."

STEVENSON,
HOLBROOK.

The amendment was read.

Senator DeBerry moved to table the amendment. The motion prevailed.

The bill was passed to third reading.

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 836 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Hopkins.
Berkeley.	Hornsby.
Cousins.	Loy.
DeBerry.	Martin.
Gainer.	Moore.
Greer.	Neal.
Hardin.	Oneal.

Parr.	Small.
Parrish.	Stevenson.
Patton.	Thomason.
Poage.	Williamson.
Pollard.	Woodruff.
Purl.	Woodul.
Rawlings.	Woodward.
Russek.	

Nay—1.

Holbrook.

Absent.

Cunningham.

Read third time and finally passed.

House Bill No. 648.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Harman:

H. B. No. 648, A bill to be entitled "An Act amending Article 7058, Revised Statutes of 1925, and declaring an emergency."

Read second time.

Senator Poage sent up the following amendment:

Amend H. B. No. 648 by adding to Section 1 after the word "authorized" in the last line of said section the following provision:

"provided, however, no penalties shall accrue for the failure to make said reports or to pay said taxes if said reports are made and said taxes are paid within thirty (30) days after the first day of January, April, July and October of each year, as herein provided."

POAGE.

The bill was passed to third reading.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 648 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Loy.
Berkeley.	Martin.
Cousins.	Moore.
DeBerry.	Neal.
Gainer.	Oneal.
Greer.	Parr.
Hardin.	Parrish.
Holbrook.	Patton.
Hopkins.	Poage.
Hornsby.	Pollard.

Purl.	Thomason.
Rawlings.	Williamson.
Russek.	Woodruff.
Small.	Woodul.
Stevenson.	Woodward.

Absent.

Cunningham.

Read third time and finally passed.

H. C. R. No. 71.

The Chair laid before the Senate: H. C. R. No. 71, Relating to the printing of the Legislative manual of the Forty second Legislature.

Read and adopted.

House Bill No. 631.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Dowell:

H. B. No. 631, A bill to be entitled "An Act to amend Section 2 of Article 2135, Revised Statutes, 1925, so as to provide that all civil officers of this State and of the United States other than first and second-class postmasters shall be exempt from jury service; and to amend Section 9 of said article so as to provide for the exemption from jury service active members of organized fire companies, in towns and cities of 1,500 population, except where such town or city has one or more paid firemen, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Hopkins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 631 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parr.
DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Stevenson.
Moore.	Thomason.

Williamson.
Woodruff.

Woodul.
Woodward.

Absent—Excused.

Cunningham.

Read third time and finally passed.

House Bill No. 316.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 316, A bill to be entitled "An Act amending Articles 8291 and 8292, Title 129, of the Revised Civil Statutes of Texas, 1925, so as to provide that where a testator having a child or children leaves a surviving wife, who is the mother of all of his said children, and the principal beneficiary in said last will and testament to the entire exclusion of all of his children, that said Article 8291 and 8292 shall not apply, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 316 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Cunningham.

Read third time and finally passed.

House Bill No. 879.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 879, A bill to be entitled "An Act providing that any inter-

ested party not willing to abide by the final decision of the Industrial Accident Board shall, in the manner provided by law, bring suit in the county where the injury occurred, and declaring an emergency."

Read second time.

Senator Woodward sent up the following amendment:

Amend H. B. No. 879 by adding at the end of Section 1 the following:

"Provided, however, that notice of said transfer shall be given to the parties, and said suit when filed in the court to which the transfer is made, shall be considered for all purposes, the same as if originally filed in said court."

WOODWARD.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 879 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Cunningham.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Hornsby.
Berkeley.	Loy.
Cousins.	Martin.
DeBerry.	Moore.
Gainer.	Neal.
Greer.	Oneal.
Hardin.	Parr.
Holbrook.	Parrish.
Hopkins.	Patton.

Poage.	Stevenson.
Pollard.	Thomason.
Purl.	Williamson.
Rawlings.	Woodruff.
Russek.	Woodul.
Small.	Woodward.

Absent—Excused.

Cunningham.

Senate Bill No. 356.

The Chair laid before the Senate on its second reading the following bill:

By Senator Cousins:

S. B. No. 356, A bill to be entitled "An Act making it a felony for State convicts to escape or attempt to escape, from the State penitentiary or other places of confinement; defining the same, and also for aiding or abetting the escape, of any convict; fixing the punishment, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 356 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Cunningham.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
DeBerry.	Holbrook.

Hopkins.	Pollard.
Hornsby.	Purl.
Loy.	Rawlings.
Martin.	Russek.
Moore.	Small.
Neal.	Stevenson.
Oneal.	Thomason.
Parr.	Williamson.
Parrish.	Woodruff.
Patton.	Woodul.
Poage.	Woodward.

Absent—Excused.

Cunningham.

House Bill No. 319.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 319, A bill to be entitled "An Act to amend Article 1977 of Revised Civil Statutes of Texas of 1925 so as to provide the requisites of pleadings of the plaintiff and the filing of amended and/or supplemental pleadings in cases against non-residents, transient persons, and persons whose whereabouts are unknown, and declaring an emergency."

H. B. No. 386, A bill to be entitled "An Act to amend Section 1, Chapter 47, General and Special Laws, Forty-first Legislature, First Called Session, by adding thereto Section 1a, providing for the transfer of territory and the organization of school districts, and declaring an emergency."

The bill was read and passed to third reading.

On motion of Senator Martin, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 319 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Cunningham.

Read third time and finally passed
by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Cunningham.

House Bill No. 455.

The Chair laid before the Senate
on its second reading the following
bill:

By Mr. Johnson of Dimmit:

H. B. No. 455, A bill to be entitled
"An Act making it unlawful to op-
erate a vehicle for the transportation
of pupils to and from any school or
college without displaying a sign
with the words 'School Bus' on the
front and rear and each side thereof,
and providing safeguards to passen-
gers on entering or leaving same,
from dangers caused by passing mo-
torists, and providing for penalties
for the violation thereof, and declar-
ing an emergency."

The bill was read second time and
passed to third reading.

On motion of Senator Stevenson,
the constitutional rule requiring bills
to be read on three several days was
suspended and H. B. No. 455 was
put on its third reading and final
passage, by the following vote:

Yeas—30.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
DeBerry.	Hornsby.
Gainer.	Loy.
Greer.	Martin.

Moore.

Neal.

Oneal.

Parr.

Parrish.

Patton.

Poage.

Pollard.

Purl.

Rawlings.

Russek.

Small.

Stevenson.

Thomason.

Williamson.

Woodruff.

Woodul.

Woodward.

Absent—Excused.

Cunningham.

Read third time and finally passed.

House Bill No. 803.

The Chair laid before the Senate
on its second reading the following
bill:

H. B. No. 803, A bill to be entitled
"An Act directing the Treasurer of
the State of Texas to pay to Henry
W. Baylor, William F. Hardeman,
George W. Baylor, Charles W. Mc-
Faddin, Oscar D. Baker, George S.
Stockley, Sidney J. Baylor, Leon
Heard, Wyatt Heard, James White-
cotton, Mrs. Mittie A. Smith, Mrs.
Alexander Wilkerson, Mrs. John H.
Affleck and Mrs. Sarah Cunningham,
each the sum of \$360; said persons
being members, or the surviving
wives of deceased members of the
Montel Guards, officially designated
as Company "G," First Texas Cav-
alry, etc., and declaring an emer-
gency."

Read second time.

Senator Woodward moved the
previous question on the bill. The
motion failed to receive the proper
seconding.

The bill failed to pass to third
reading by the following vote:

Yeas—13.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Gainer.	Pollard.
Greer.	Thomason.
Hornsby.	Woodul.
Moore.	

Nays—13.

DeBerry.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Loy.	Williamson.
Martin.	Woodruff.
Poage.	Woodward.
Purl.	

Absent.

Hardin. Oneal.
Neal. Russek.

Absent—Excused.

Cunningham.

Motion to Concur.

Senator Neal moved to concur in House amendments to S. J. R. No. 28. The motion prevailed by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Cunningham.

S. J. R. No. 31.

The Chair laid before the Senate on its second reading the following resolution:

By Senators Greer, Neal, Thomason, Russek, Martin, Stevenson, Hardin, Pollard, Small, Berkeley, Patton, Cousins, Woodruff, Beck, Loy, Moore, Purl, Poage, Gainer and DeBerry:

S. J. R. No. 31. Proposing to amend Article 7, of the Constitution of Texas by adding a new section providing that the Legislature shall have power to provide that students within high school grade residing within school districts having no high school, may attend high school in any other district; and that their tuition be paid by the State and the rate thereof to be fixed by the Legislature.

The committee report was adopted.

The resolution was read second time and passed to engrossment by the following vote:

Yeas—19.

Beck.	Neal.
Berkeley.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hornsby.	Small.
Martin.	Stevenson.
Moore.	Thomason.

Nays—8.

Cousins.	Williamson.
Hopkins.	Woodruff.
Oneal.	Woodul.
Rawlings.	Woodward.

Absent.

DeBerry.	Parr.
Loy.	Russek.

Absent—Excused.

Cunningham.

Motion to Reconsider.

Senator Martin moved to reconsider the vote by which H. B. No. 803 failed to pass to third reading.

Senator Purl moved to table the motion to reconsider. The motion was lost by the following vote:

Yeas—12.

DeBerry.	Rawlings.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Williamson.
Poage.	Woodruff.
Purl.	Woodward.

Nays—16.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hornsby.	Pollard.
Martin.	Thomason.
Moore.	Woodul.

Absent.

Loy.	Russek.
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Absent—Excused.

Cunningham.

Conference Committees Appointed.

The Chair announced the appointment of the following Conference Committees:

Senate Conference Committee on H. B. No. 950:

Senators Martin, Patton, Poage, Stevenson and Loy.

Senate Conference Committee on H. B. No. 805:

Senators Hardin, Parrish, Purl, Williamson and Woodruff.

Senate Conference Committee on S. B. No. 430:

Senators Berkeley, Neal, Rawlings, Holbrook and Cousins.

Adjournment.

Senator Hopkins moved to adjourn until 9:30 o'clock tomorrow morning.

Senator DeBerry moved to recess until 9:30 o'clock tomorrow morning.

The motion to adjourn prevailed, and at 6:23 o'clock p. m., the Senate adjourned.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 328 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 165 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 357 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 360 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 19, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 184 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 223 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 303 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 308 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 322 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 327 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 5
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 31
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 163
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 194
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 201
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 203
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 207
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 208
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 218
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 240
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 469
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 481
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 502
carefully examined and compared
and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 507 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 511, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 592 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 618 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 629 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 626 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 412 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 356 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 1056, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring or killing dead or alive, any wild buck deer or wild turkey, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 34.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 1060, A bill to be entitled "An Act making it lawful to hunt

wild deer with one dog in the counties of Jasper, Newton, and Orange, Texas, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1058, A bill to be entitled "An Act to authorize the commissioners' court in each county having a population of not less than thirteen thousand, nine hundred and fifty (13,950) and not more than fourteen thousand, fifty (14,050) as shown by the preceding United States Census, to allow all county and precinct officers expenses incurred by them for official telephone, official telephone calls, official telegrams, and official postage stamps and cards, same to be paid out of the General Fund of the county; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1059, A bill to be entitled "An Act to authorize the commissioners' court in each county having a population of not less than thirteen thousand nine hundred fifty (13,950) and not more than fourteen thousand fifty (14,050) as shown by the preceding United States Census, to pay the sheriff of such county for summoning jurors in district or county courts, serving all legal notices and doing all other public business for which compensation is not otherwise provided for not exceeding Twenty-five Hundred Dollars

(\$2,500.00) per annum, to be fixed by the commissioners' court, and to be paid out of the general fund of the county, and further authorizing the commissioners' court in such counties upon written sworn application of the sheriff stating the necessity therefor, to purchase an automobile for the use of the sheriff and pay for same together with the expense of the maintenance and operation of same out of the county general fund; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 500, A bill to be entitled "An Act to amend Chapter 288, General Laws of the Regular Session of the 41st Legislature of 1929, being an Act declaring unlawful the sale or offering for sale, transportation, preparation, receiving or delivery for transportation or marketing of citrus fruit that is immature, unripe, over-ripe, frost damaged or otherwise unfit for consumption and the sale thereof declared to be a fraud upon the public, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

GAINER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 1057, A bill to be entitled "An Act amending Article 7005, Chapter Seven, Title 121, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 105, General and Special Laws of the State of Texas as passed by the

Regular Session of the 40th Legislature of Texas, so as to place Cameron County under the provisions of said Chapter Seven, Title 121."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PARR, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 1053, A bill to be entitled "An Act making an emergency appropriation of money to the State Treasurer; providing the purposes thereof, the means and manner of expenditure, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be not printed.

BECK, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. C. R. No. 53, Granting leave to the American National Bank of Austin, Texas, to sue the State of Texas upon its claim for moneys claimed to have been advanced by it to the State of Texas for the completion of two buildings at the Agricultural and Mechanical College at College Station, Texas, said buildings having been authorized by the Acts of the 24th Legislature 1st Called Session 1915, pp. 104-105.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

BECK, Chairman.

In Memory
of
Mrs. W. H. Doss

SIMPLE RESOLUTION NO. 156.

Senator Woodward sent up the following Resolution:

WHEREAS, On this date, May 20, 1931, at five o'clock A. M. the Angel of Death called at the home of our beloved Chaplain, Rev. W. H. Doss of Ballinger, Texas, and took his wife to her long home, and,

WHEREAS, Her life has been one of self sacrifice, glorious achievement and throughout her life she has been the helpmate of her husband who has grown old in the service of his Master; and,

WHEREAS, The Senate of Texas extends to Rev. Doss the heartfelt sympathies of the members and tender to him our condolence in this, the saddest hour of his life, therefore be it

RESOLVED, That this expression of sympathy be made manifest by this resolution and a copy thereof be forwarded to Brother Doss at his home in Ballinger, Texas, and a page in the Senate Journal be set apart for this resolution and when the Senate adjourns on this date, it do so in memory of the departed wife of our beloved Chaplain.

Woodward, Hornsby, Beck, Berkeley, Cousins, Cunningham, DeBerry, Gainer, Greer, Hardin, Holbrook, Hopkins Loy, Martin, Moore, Neal, Oneal, Parr, Parrish, Patton, Poage, Pollard, Purl, Rawlings, Russek, Small, Stevenson, Thomason, Williamson, Woodruff, Woodul.

Read and adopted unanimously by a rising vote.